

AMENDED IN ASSEMBLY JANUARY 29, 2008

AMENDED IN ASSEMBLY JANUARY 9, 2008

AMENDED IN ASSEMBLY JANUARY 7, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 499

Introduced by Assembly Member Swanson

February 20, 2007

An act to add and repeal Chapter 4.3 (commencing with Section 18259) of Part 6 of Division 9 of the Welfare and Institutions Code, relating to sexually exploited minors.

LEGISLATIVE COUNSEL'S DIGEST

AB 499, as amended, Swanson. Sexually exploited minors.

Existing law declares the findings of the Legislature that there is a need to develop programs to ameliorate, reduce, and ultimately eliminate the trauma of child sexual abuse, and that, for the purposes of developing and providing these programs and services, and for the training of, and providing information to, city and county personnel throughout the state, it is necessary to expand specified services.

This bill would create a pilot project, ~~to remain~~ in effect until January 1, 2012, *which may be implemented* within the County of Alameda, *contingent upon local funding*, for the purposes of creating, implementing, and delivering a standardized training curriculum that will provide training for certain county employees on the sexual exploitation of minors in Alameda County, ~~including state certification of sexually exploited minor crisis counselors, upon appropriation, and as specified. By adding to the duties of county employees, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 4.3 (commencing with Section 18259)
2 is added to Part 6 of Division 9 of the Welfare and Institutions
3 Code, to read:

4
5 CHAPTER 4.3. SEXUALLY EXPLOITED MINORS PILOT PROJECT
6

7 18259. (a) There is hereby created a pilot project in the County
8 of Alameda *which may be implemented, contingent upon local*
9 *funding*, for the purposes of creating, implementing, and delivering
10 a standardized training curriculum that will provide training on
11 the sexual exploitation of minors in Alameda County, and in
12 accordance with current law, the district attorney ~~shall~~ *may*
13 establish a Section 654 program for sexually exploited minors who
14 are otherwise eligible under Section 654. The standardized training
15 curriculum ~~shall~~ *may* include, but not be limited to, advocacy or
16 case planning, including advocacy from the point of detainment,
17 court advocacy, advocacy and joint case planning with probation
18 officers, developing and understanding case studies, and intensive
19 case management and advocacy throughout any legal process
20 involving the district attorney’s office and law enforcement,
21 deprogramming, empowerment, including surviving child sexual
22 exploitation workshop series, self-sufficiency workshop series,
23 and self-discovery and self-esteem-based workshop series, intensive
24 case management, including working with a child welfare worker
25 or parents and probation officers on placement options, educational
26 options, employment options, engagement activities, and other
27 services recommended for the minor or requested by the minor

1 commencing with the custody process and continuing through and
2 after release.

3 ~~(b) The pilot project in District Attorney of the County of~~
4 ~~Alameda shall, in collaboration with the appropriate community~~
5 ~~partners, may design and create a training curriculum for advocates~~
6 ~~and case managers consisting of a 40-hour sexually exploited minor~~
7 ~~crisis counseling training. The training shall be administered by a~~
8 ~~nonprofit organization that is established specifically to serve~~
9 ~~sexually exploited children and will include the state certification~~
10 ~~of sexually exploited minor crisis counselors upon completion of~~
11 ~~the 40-hour training. The 40-hour sexually exploited minor crisis~~
12 ~~counseling training shall include, but not be limited to,~~
13 ~~understanding child sexual exploitation or commercial child sexual~~
14 ~~exploitation, the impact of child sexual exploitation or commercial~~
15 ~~child sexual exploitation, understanding childhood sexual abuse,~~
16 ~~overview of sexual assault or rape, suicide prevention, sexually~~
17 ~~exploited minors interfacing with law enforcement and the child~~
18 ~~welfare and juvenile justice systems, domestic violence and~~
19 ~~sexually exploited minors, sexually exploited minors with~~
20 ~~disabilities, crisis intervention, substance abuse and sexually~~
21 ~~exploited children, overview of post-traumatic stress disorder,~~
22 ~~survivors of childhood sexual abuse, lesbian, gay, questioning,~~
23 ~~bisexual, and transgendered sexually exploited children, sexually~~
24 ~~exploited children from immigrant families, and mandated~~
25 ~~reporting.~~

26 (c) The standardized training shall be ~~designed~~ *made available*
27 for law enforcement, in cooperation with police officer standards
28 training, for prosecutors and public defenders, in cooperation with
29 the California District Attorneys Association and the Prosecutors
30 and Public Defenders Education and Training Program created
31 under Title 1.5 (commencing with Section 11500) of Part 4 of the
32 Penal Code, for the judiciary, in cooperation with the Judicial
33 Council and the Administrative Office of the Courts, for social
34 service providers and probation officers, in cooperation with the
35 California Probation, Parole and Correctional Association, and for
36 advocates, in cooperation with local rape crisis centers and
37 domestic violence service providers.

38 ~~(d) Implementation of this chapter is contingent upon existing~~
39 ~~resources or the enactment of another statute that provides~~
40 ~~sufficient funding for the pilot project.~~

1 18259.3. For ~~purpose~~ *purposes* of this chapter, “sexually
2 exploited minor” means a person under 18 years of age who has
3 been detained for a violation of the law or placed in civil protective
4 custody on a safety hold based only on a violation of subdivision
5 (a) or (b) of Section 647, subdivision (a) of Section 653.22, or
6 subdivision (a) of Section 653.23 of the Penal Code.

7 18259.5. This chapter shall be in effect only until January 1,
8 2012, and as of that date is repealed, unless a later enacted statute,
9 enacted on or before January 1, 2012, deletes or extends that date.

10 ~~SEC. 2. If the Commission on State Mandates determines that~~
11 ~~this act contains costs mandated by the state, reimbursement to~~
12 ~~local agencies and school districts for those costs shall be made~~
13 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
14 ~~4 of Title 2 of the Government Code.~~